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HB 1141 RELATING TO ENVIRONMENTAL PROTECTION

House Committee on Energy and Environmental Protection

Public Hearing, February 4, 1999
8:30 a.m., Room 312, State Capitol

By
John Harrison, Environmental Center
David Duffy, Botany
Peter Rappa, Sea Grant
Cliff Smith, Botany

HB 1141 would amend Chapter 128D, HRS to establish a permanent position for an Ecological Risk Assessor.

Our comments on this measure are compiled from voluntarily submitted opinions of the listed academic sources, and as such, do not constitute an institutional position of the University of Hawaii.

University opinion was mixed on this measure. Most felt that the idea has merit, but that the bill as written was overbroad and insufficiently definitive of the Assessor's duties and responsibilities. Will the appointed Assessor have the power to overturn a permit decision issued by an agency? Concerns also were voiced that over the lack of educational specifics, and over the fact that the appointed Assessor would need to be insulated from political influences.

We note that the federal Oil Pollution Act of 1990 establishes a procedure for determining damage due to oil spills.

Finally, the emergency response fund was established so that the state would have the capability to respond to oil and chemical spills without waiting for federal authorities or the responsible party to act. This measure has the appearance of another inappropriate use of the fund to pay for personnel not directly connected to oil/chemical emergency response management.